

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ZACHARY R. MACOMBER, and
DRAKE L. BANKS SR.,

Defendants.

4:19CR3116

ORDER

Defense counsel have jointly moved to continue the pretrial motion deadline, (Filing No. 49), because efforts to contact the defendants has been difficult due to the recent pandemic, and they need additional time to investigate the case. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 49), is granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before May 1, 2020.
- 3) **As to both defendants**, trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and **as to both defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and May 1, 2020, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any

right to later claim the time should not have been excluded under the Speedy Trial Act.

April 15, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge